

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

OCT 27 2006

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte URI ELZUR, FRANKIE FAN,
STEVEN B. LINDSAY and SCOTT S. McDANIEL

Application No. 10/652,267

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on October 12, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

An Information Disclosure Statement (IDS) was filed May 15, 2006. It is not apparent from the record that the examiner notified appellants that the IDS had been considered or why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

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Accordingly, it is

ORDERED that the application is returned to the Examiner for
1) written notification to appellant regarding the result of the examiner's
consideration, and 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: G Pelegre for Dale Shaw
DALE M. SHAW
Deputy Chief Appeals Administrator
(571) 272-9797

DMS/eld

cc: MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO IL 60661